

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>C.W. JACKSON, #158384,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NO.: 1:06-CV-174-WKW</b>
	)	
<b>COFFEE COUNTY JAIL, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**ANSWER**

COMES NOW the Defendant Zack Ennis, Jail Administrator of the Coffee County Jail, Coffee County, Alabama, and responds to the Complaint filed by Plaintiff in the above-styled cause and states as follows:

1. Plaintiff brings his suit under 42 U.S.C. § 1983 and claims that his constitutional rights were violated by Defendant.<sup>1</sup> More specifically, as an inmate, the Plaintiff alleges that his rights have been violated in that the Defendant denied him adequate medical attention.

2. Defendant admits that the Plaintiff was incarcerated on or before December 13, 2003, at the Coffee County Jail.

3. Defendant denies the remaining allegations and inferences in the Plaintiff's Complaint.

**AFFIRMATIVE DEFENSES**

1. Plaintiff's Complaint fails to state a claim upon which relief can be granted. Defendant did not deprive Plaintiff of any constitutional right to which he is entitled.

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<sup>1</sup> The following statement of the issues and claims made by Plaintiff are based upon Plaintiff's Complaint and the undersigned's interpretation of the issues raised. If other issues are presented, Defendant generally denies any such allegations as being untrue and completely without basis in law or fact.

2. All claims against this Defendant are barred by the statute of limitations.
3. Any claims against Defendant in his official capacity are barred by the Eleventh Amendment and because Defendant is not a "person" under 42 U.S.C. § 1983.
4. Defendant is entitled to qualified immunity in his individual capacity.
5. The Plaintiff's claims are barred due to the Plaintiff's failure to exhaust all available state remedies.
6. Defendant reserves the right to add additional defenses upon a complete investigation of Plaintiff's claims, completion of any discovery allowed, and if any further pleading is required or allowed by the Court.

WHEREFORE, PREMISES CONSIDERED, Defendant requests this Court to enter judgment in his favor and grant unto him costs and attorney's fees pursuant to law and 42 U.S.C. § 1988.

Respectfully submitted on this the 13th day of April, 2006.

**s/Scott W. Gosnell**  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 13th day of April, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF and served the following Non-CM/ECF participant by United States Mail, postage prepaid:

C.W. Jackson  
Limestone Correctional Facility  
Nick Davis Road  
Harvest, Alabama 35749

**s/Scott W. Gosnell**  
OF COUNSEL